



NIAGARA COUNTY  
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**COUNTY LEASES STATE LAW-COMPLIANT RECORDS FACILITY  
WILL HOUSE CITIZENS' MOST IMPORTANT DOCUMENTS**

LOCKPORT—Niagara County lawmakers took steps Tuesday night to secure critical records, some dating back 200 years, that are currently housed in a dilapidated, leaking structure.

The decision, which consolidates the county's record management operations at a facility on Transit Road in Newfane, means that millions of vital records, land records, and court proceedings will be moved to a facility that complies with state laws for the handling of such documents.

Many of the county's records are currently stored at the county's Davison Road complex, which was largely abandoned in 2002. The records storage facility at that site is a dilapidated structure with water infiltration issues.

"This is the right thing to do," County Clerk Wayne F. Jagow told county lawmakers. "The valuable records under our custodial care are in danger of being lost to time—destroyed by the elements—due to the unacceptable environment we're storing them in."

Jagow explained that state law obligates him as the county's records management officer to house millions of records either affecting every county citizen's daily life or essential to the administration of county government.

"The New York State Arts and Cultural Affairs Law is very clear on storage requirements—and government's responsibility to maintain these vital records about every major event in our citizens' lives, from their birth to their citizenship to their home ownership to legal proceedings to the businesses they own, even the records of their death," Jagow said. "We owe it to our taxpayers to treat those records with the greatest care possible."

The Arts and Cultural Affairs Law sets very stringent humidity control and HVAC requirements for storage facilities, which the Newfane facility meets. The current records facility on Davison Road is a dilapidated structure with water infiltration issues.

Among the documents stored at the site are:

- The records of every county agency
- Real property transactions and clear title to land holdings since the county's 1808 incorporation
- All civil and criminal proceedings
- Health Department records that must be stored in accordance with HIPAA requirements
- Social Services records
- Niagara County Sheriff's Office and Niagara County District Attorney investigative files
- Adoption records
- Some birth and death records

And, even as the county is allowed to dispose of old records, current space is proving barely adequate. In 2011, the Niagara County Records Management Program legally disposed of 44.06 tons of records, and still is “bursting at the seams” as one county official put it.

Under terms of the lease agreement, the county will pay \$4.45 per square foot for a 28,000-square foot storage space, and gains a piece of land to be utilized for a federally-mandated radio tower site.

Niagara County Legislature Majority Leader Rick Updegrove, R-Lockport, noted that the county’s decision to sell the Davison Road complex after it stopped functioning as a hub of large-scale government operations in the early 2000s had weighed on the decision, although the records facility is currently slated to remain county property.

“The Davison Road property has been for sale for a decade,” Updegrove told fellow lawmakers present at Tuesday’s meeting. “Any sale of the Davison Road property does not include the sale of the records storage facility.”

It is the current, dilapidated state of that facility—and stringent requirements set by the state in the Arts and Cultural Affairs Law—that drove the decision to relocate to the new, humidity-controlled facility.

This point was echoed by Legislator Tony Nemi, I-Lockport, who chairs the Legislature’s Community Services Committee, which fully considered the lease proposal before advancing it to the floor for a vote.

“Niagara County’s government pursued this lease because it made sense,” Nemi said. “This lease was reasonable, and it met our basic legal obligations to New York state and our basic moral obligation to safeguard our citizens’ most important records.”

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